

## EXHIBIT E

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**VIA EMAIL <ALANGER@JCPENNEY.COM>**

Alan S. Langer, Esq.  
J.C. Penney Company, Inc.  
P.O. Box 10001  
Dallas, Texas 75301 0001  
6501 Legacy Drive  
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Re: **J.C. PENNEY'S IMPROPER USE OF *COUNTRY CURTAINS*®**

Dear Mr. Langer:

We are trademark counsel to Country Curtains Mail Order, Inc. of Stockbridge, Massachusetts ("Country Curtains"). For more than fifty years, our client has used the trademark COUNTRY CURTAINS in connection with its wide range of home furnishing products. Our client owns incontestable U.S. Trademark Reg. No. 1,037,506 for its trademark COUNTRY CURTAINS for curtains, which registration is in full force and effect.

You may recall that we communicated in late 2004 and early 2005 concerning the misuse of our client's trademark on the J.C. Penney Web site. While our communications did not result in any formal agreement, our client has been monitoring the J.C. Penney Web site and, until recently, had not noticed any misuse of its trademark. However, it recently became aware that its registered trademark COUNTRY CURTAINS is now being misused in a variety of ways.

First, COUNTRY CURTAINS is a search term in the Web site's search engine. When COUNTRY CURTAINS is entered, it produces a page which displays a variety of curtains, many of which are captioned only with generic descriptions. The reasonable consumer will believe that the products being displayed are products of our client. This initial landing page links to additional pages advertising curtains. In doing so, J.C. Penney misleads consumers who are looking for genuine Country Curtains products into believing that our client's products are being sold through your Web site.

In addition, there is a separate page entitled "Country Curtains, Country Bedding, Country Lamps & Lighting." A copy of this page is enclosed. Again, the use of our client's trademark in the headline for this page misleads consumers into believing that J.C. Penney is selling genuine Country Curtains products. This misleading

